



FEDERAL ELECTION COMMISSION

Washington, DC 20463

February 26, 1999

Sonia Pinkus  
5477 Poppy Place, #B  
Delray Beach, FL 33484

RE: MUR 4646

Dear Ms. Pinkus:

On February 23, 1999, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

Page 2

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Lehmann, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

*[Signature]*

**Scott E. Thomas**  
**Chairman**

## Enclosures

## Factual and Legal Analysis

## Procedures

## Designation of Counsel Form

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Sonia Pinkus

MUR: 4646

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. *See* 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended, prohibits persons from allowing their names to be used to effect a contribution in the name of another. 2 U.S.C. § 441f. Circumstances strongly suggest that during the 1995-96 election cycle Amy Robin Habie reimbursed certain individuals for their contributions to Kennedy for Senate in violation of 2 U.S.C. § 441f. Kennedy for Senate 1994 ("Kennedy") reported receiving a \$1,000 contribution from Sonia Pinkus on December 11, 1995.

Habie wrote a check (check number 236) in the amount of \$1,000 to Pinkus on November 8, 1995. Similarly, Habie's reimbursement checks to other individuals for their contributions to Kennedy are dated November 3, 1995 and November 9, 1995. Kennedy reported receiving a \$1,000 contribution from Pinkus on December 11, 1995, the same day as contributions made by certain individuals who were reimbursed for their contributions.

Given the circumstances (the timing of both Pinkus' \$1,000 contribution to Kennedy and Habie's \$1,000 check to Pinkus, the fact that she has not made any contributions to any other candidates for Federal office during the 1995-1996 election cycle or the previous two election cycles) surrounding Pinkus' contributions to a candidate in a distant state, there is reason to

believe that Sonia Pinkus may have violated the Act. Specifically, there is reason to believe that Pinkus may have violated 2 U.S.C. § 441f (allowing her name to be used to make contributions in the name of another) in that Habie reimbursed her for her contributions to Kennedy or otherwise provided the funds Pinkus used to contribute to Kennedy.